

Steven Wojtowicz
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Washington Township, Michigan
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Debtor

August 13, 2014

United States Bankruptcy Court
For the Eastern District of Michigan
Southern Division
211 West Fort Street
Detroit, Michigan
48226

Chapter 9 City of Detroit, Michigan
Case No. 13-53846
Hon. Steven W. Rhodes

Subject: Motion for explanation of ASF Monthly Recoupment Cap

Honorable Judge Rhodes:

Steven Wojtowicz (myself) will be presenting evidence.

The subject matter of the proposed testimony is to request an explanation of the latest fifth Amendment Doc 6379 page 44. Quote: "(B) then be deducted from the ASF Distribution Recipient's monthly pension check; provided, however, that in no event shall the total amount deducted from an ASF Distribution Recipient's monthly pension checks exceed the ASF Recoupment Cap or, if applicable, the Current GRS Retiree Adjustment Cap" End quote. This statement is untrue and the 'cap' is greatly exceeded when the 6.75 interest rate and the 'common actuarial assumptions' are added.

Expected time of duration will be less than 5 minutes.

This proposed evidence is not duplicative of other evidence because a search was conducted on all documents and dockets and there is no duplication to date.

The exhibit to be offered into evidence is: 'Page 44 of Docket 6379 Filed 07/29/14' see attached.

We appreciate the opportunity to address our concerns to you and look forward to your assessment.

Sincerely,

Steven Wojtowicz
Detroit Water and Sewage Retiree

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U.S. BANKRUPTCY COURT
E.D. MICHIGAN - BRIGHTON

the ASF Recoupment Cap. In the event that the amount credited to an ASF Current Participant's Annuity Savings Fund account as of the Effective Date is less than such participant's Annuity Savings Fund Excess Amount, the ASF Current Participant will be treated as an ASF Distribution Recipient to the extent of the shortfall.

2. ASF Distribution Recipients.

i. Monthly Deduction

For each ASF Distribution Recipient that does not elect the ASF Recoupment Cash Option described in Section II.B.3.r.ii.D.2.ii and in the case of any ASF Distribution Recipient that elected the ASF Recoupment Cash Option but does not timely deliver the ASF Recoupment Cash Payment to the GRS, the Annuity Savings Fund Excess Amount will: (A) be calculated and converted into monthly annuity amounts based on common actuarial assumptions (such as the ASF Distribution Recipient's life expectancy, gender and, if not already retired, expected date of retirement) and amortized using a 6.75% interest rate; and (B) then be deducted from the ASF Distribution Recipient's monthly pension check; ~~provided, however, that in no event shall the total amount deducted from an ASF Distribution Recipient's monthly pension checks exceed the ASF Recoupment Cap or, if applicable, the Current GRS Retiree Adjustment Cap.~~

ii. Single Lump Sum Payment

Each ASF Distribution Recipient shall be afforded the ASF Recoupment Cash Option.

No later than seven days following the Effective Date, the City, through its Claims and Balloting Agent, shall send the ASF Election Notice and the ASF Election Form by first-class U.S. mail to each ASF Distribution Recipient. The ASF Election Form shall explain that the amount of the ASF Recoupment Cash Payment shall be equal to the total amount of ASF Recoupment shown on the ASF Distribution Recipient's Ballot, unless the aggregate amount of ASF Recoupment for all ASF Distribution Recipients electing the ASF Recoupment Cash Option exceeds \$30,000,000, in which case (A) the ASF Recoupment Cash Payment will be the ASF Distribution Recipient's Pro Rata portion of \$30,000,000, and (B) the remaining portion of the ASF Distribution Recipient's ASF Recoupment will be annuitized and deducted from the ASF Distribution Recipient's monthly pension check, as provided for in Section II.B.3.r.ii.D.2.i.

An ASF Distribution Recipient must return his or her ASF Election Form to the Claims and Balloting Agent so that it is actually received by the Claims and Balloting Agent by the ASF Election Date.

GRS shall mail the ASF Final Cash Payment Notice no later than 14 days after the ASF Election Date. ASF Distribution Recipients shall have until the ASF Final Cash Payment Date to make the ASF Recoupment Cash Payment, which payment must be made by cashier's check or wire transfer and may not be made by personal check. If an ASF Distribution Recipient's ASF Recoupment Cash Payment is not received by the ASF Final Cash Payment Date, GRS will notify the ASF Distribution Recipient of the failure to timely pay, and ASF Recoupment will be effected through diminution of such recipient's monthly pension check, as provided for in Section II.B.3.r.ii.D.2.i. The calculation of each electing ASF Distribution Recipient's ASF Recoupment Cash Payment shall not be adjusted under any circumstances, including as a result of default by any other electing ASF Distribution Recipient to remit his or her ASF Recoupment Cash Payment by the ASF Final Cash Payment Date.

E. Contingent Payment Rights.

The City will issue the DWSD CVR to the Restoration Trust for the benefit of Holders of Pension Claims, as described in Section IV.F.

F. Accrual of Future Benefits.

Each Holder of a GRS Pension Claim who is an Active Employee shall receive, in addition to his or her GRS Adjusted Pension Amount, as such amount may be modified herein, such additional pension benefit for

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

CITY OF DETROIT, in 2014 AUG 18
Debtor. FILED
U.S. BANKRUPTCY COURT
E.D. MICHIGAN - DETROIT

CASE NO: 13-53846

CHAPTER: 9

JUDGE: STEVEN W. RHODES

CERTIFICATE OF SERVICE

I hereby certify that on 8-18-2014 (date of mailing), I served
copies as follows:

1. Document(s) served:

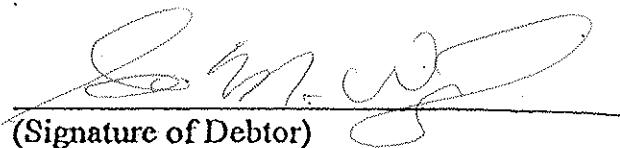
MOTION TO PARTICIPATE AT THE
CONFIRMATION HEARING MOTION FOR
EXPLANATION OF ASF MONTHLY RECOVERY
CAP

2. Served upon [name and address of each person served]:

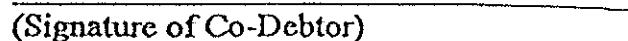
JONES DAY
DAVID HEIMAN
901 LAKESIDE AVE
CLEVELAND OH, 44114

3. By First Class Mail.

Dated: 8-18-2014


(Signature of Debtor)

Print Name: STEVEN WOJTCIOWICZ


(Signature of Co-Debtor)

Print Name: _____